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C O N F I D E N T I A L SECTION 01 OF 03 ZAGREB 003925

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E.O. 12356: DECL: 9/30/10

TAGS: PGOV PHUM PREF PHUM PREF PHUM PREF HR

SUBJECT: A/S SHATTUCK'S 9/30 MEETING WITH INTERIOR
MINISTER

REF: STATE 231615

1. CONFIDENTIAL - ENTIRE TEXT

2. SUMMARY: IN A MEETING WITH CROATIAN INTERIOR MINISTER JARNJAK, ASSISTANT SECRETARY SHATTUCK EMPHASIZED CONCERN OVER THE GOC'S FORCED REPATRIATION PLAN, THE CONTINUED HUMAN RIGHTS ABUSES IN THE KRAJINA REGION, AND DISCUSSED THE VOJNIC REFUGEE SITUATION. SHATTUCK ALSO ENCOURAGED MORE PUBLIC STATEMENTS ABOUT THE RIGHT OF RETURN OF ETHNIC SERBS TO THEIR HOMES IN CROATIA. IN DEFENDING CROATIA'S RECORD, JARNJAK CITED EXAMPLES OF CROATIAN SUPPORT FOR REFUGEES, PURSUIT OF PERPETRATORS OF CRIMINAL ACTS IN THE KRAJINA, AND COOPERATION WITH THE INTERNATIONAL WAR CRIMES COMMISSION. HE ALSO AGREED TO PRESS FOR MORE PUBLIC STATEMENTS ON RIGHTS OF REFUGEES TO RETURN AND TO RECLAIM PROPERTY. COMMENT. JARNJAK MADE AN UNCONVINCING CASE. END COMMENT. END SUMMARY.

3. ASSISTANT SECRETARY SHATTUCK MET WITH CROATIAN INTERIOR MINISTER IVAN JARNJAK AT THE MINISTRY ON SEPTEMBER 30. THE MINISTER WAS ACCOMPANIED BY HIS ASSISTANTS MARIJAN BENKO FOR POLICE AFFAIRS AND ZDRAVKO ZIDOVEC FOR CIVIL AFFAIRS, PLUS THE HEAD OF THE INTERNATIONAL AFFAIRS DEPARTMENT DR. JOSIP BESIC. DRL
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STEVE COFFEY AND DCM (NOTETAKER) ACCOMPANIED MR. SHATTUCK.

4. SHATTUCK DREW ON REFTTEL DEMARCHE IN EXPRESSING USG CONCERN OVER THE GOC PLAN TO REPATRIATE REFUGEES AND STRESSED THAT THE 1951 CONVENTION ON THE STATUS OF REFUGEES PRECLUDES FORCED REPATRIATION. AT THE SAME TIME, HE ACKNOWLEDGED THE BURDEN THAT CROATIA HAS FACED IN CARING FOR REFUGEES, BUT STRESSED U.S. CONCERN THAT UNILATERAL ABROGATION OF REFUGEE STATUS WAS A VIOLATION OF THE 1951 CONVENTION.

5. JARNYAK REPLIED THAT CROATIA HOLDS HUMAN RIGHTS ABOVE POLITICS AND OTHER MATTERS, BUT THAT HE WAS NOT IN A POSITION TO DISCUSS THE REPATRIATION ISSUE BECAUSE IT IS THE RESPONSIBILITY OF MR. ADALBERT REBIC, HEAD OF THE OFFICE FOR DISPLACED PERSONS AND REFUGEES. HE COULD ONLY STATE IN GENERAL AND AS A RULE THAT NO PEOPLE ARE FORCED TO RETURN TO AREAS NOT CONSIDERED SAFE.

6. SHATTUCK RAISED THE ISSUE OF THE RIGHT OF RETURN FOR CROATIAN SERB REFUGEES. SUCH PEOPLE SEEKING TO RETURN HAVE BEEN FACING IMPEDIMENTS. IT WOULD BE HELPFUL TO HAVE MORE PUBLIC STATEMENTS IN CROATIA REGARDING THE RIGHT OF SERBS TO RETURN, BUT THE MOST IMPORTANT IMPEDIMENT IS THE CLIMATE OF INSINCERITY. SHATTUCK ALSO NOTED NUMEROUS REPORTS THAT KILLING, BURNING AND LOOTING CONTINUES AND THE AMPLE EVIDENCE OF DESTRUCTION HE SAW IN HIS TRAVELS THROUGH THE NEWLY LIBERATED AREAS.

7. SHATTUCK MENTIONED THAT FONMIN GRANIC SAID THE CROATIAN GOVERNMENT WOULD WELCOME THE RETURN OF SERBS VERY
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MUCH AND THAT THE GOVERNMENT WOULD INVESTIGATE ABUSES IF
THEY WERE BROUGHT TO THEIR ATTENTION. HE URGED JARNJAK TO
TAKE THE INITIATIVE AND INVESTIGATE THE CAUSES OF THE
LOOTING, BURNING AND KILLING.

18. JARNJAK SAID THE REFUGEES HAVE BEEN RETURNING ONLY WHEN THEY FEEL SAFE. HE POINTED OUT THAT IN THE WAR BETWEEN MUSLIMS AND CROATS IN BOSNIA IN 1991, CROATIA HAD 100,000 MUSLIMS HERE AND THE CROATIAN POLICE PROTECTED THOSE REFUGEES. AS FOR THE CROATIAN SERB REFUGEES, THEIR SAFETY IS FULLY GUARANTEED ACCORDING TO CROATIAN LAW AS LONG AS THEY ARE CITIZENS OF CROATIA. IF THEY WISH THEY CAN RETURN. THERE IS ONE REQUIREMENT: THEY HAVE TO REPORT THEIR DESIRE TO RETURN TO THE CROATIAN OFFICE IN BELGRADE. (COMMENT. THERE IS ONE CLERK TO PROCESS ALL APPLICATIONS FOR RETURN IN BELGRADE. END COMMENT)

19. THE GOVERNMENT HAD NO INFORMATION SO HAD NO WAY OF KNOWING THE NUMBER OF PEOPLE WHO WOULD LIKE TO RETURN, JARNJAK CLAIMED. HE ALSO ASSERTED THAT ALL THOSE WHO COME TO THE BORDER OR BORDER POINTS ARE ALLOWED TO ENTER INTO CROATIA. ONLY ONE OR TWO HUNDRED HAVE COME THIS WAY. (COMMENT. NOT ACCORDING TO EYEWITNESS REPORTS BY PRESS AND EMBASSY PERSONNEL, WHO SAY SERBS AND MUSLIMS ARE NOT

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ACTION EUR-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	SMEC-00	INL-01	OASY-00
	DINT-00	DODE-00	DOEE-00	ANHR-01	SRPP-00	EB-01	OIGO-01
	FBIE-00	INLB-01	H-01	TEDE-00	INR-00	IO-00	LAB-01
	L-01	ADS-00	M-00	NSAE-00	NSCE-00	OTC-02	OMB-01
	PA-01	PM-00	PRS-01	P-00	SCT-00	SP-00	SSO-00
	SS-00	STR-01	TRSE-00	T-00	USIE-00	SNIS-00	NISC-01
	PMB-00	PRM-10	PRME-01	PRMC-01	DRL-09	G-00	/038W
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O 061726Z OCT 95
FM AMEMBASSY ZAGREB
TO SECSTATE WASHDC IMMEDIATE 7528
INFO AMEMBASSY BELGRADE
NATO EU COLLECTIVE
AMEMBASSY ROME
AMEMBASSY LONDON
AMEMBASSY MOSCOW
USMISSION USNATO
USMISSION GENEVA
AMEMBASSY SARAJEVO
USMISSION USUN NEW YORK
USLO SKOPJE
AMEMBASSY LJUBLJANA
AMEMBASSY BUDAPEST

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ALLOWED INTO CROATIA. END COMMENT)

110. THE BIGGEST PROBLEM IS THAT PEOPLE LIVING IN SERBIA OR BOSNIA HAVE NO INFORMATION ABOUT THE GOC'S WILLINGNESS TO RECEIVE THEM BACK BECAUSE CROATIAN MEDIA IS INACCESSIBLE TO THEM. COMMENT. SERBIAN RADIO AND TELEVISION ARE READILY AVAILABLE IN CROATIA; THE CONVERSE IS PRESUMABLY TRUE AS WELL. END COMMENT. THE MINISTER SAID THE GOC MADE AN APPEAL EVERY HOUR WHEN THE KRAJINA OPERATION BEGAN; NOW IT IS IMPOSSIBLE TO COMMUNICATE WITH THE REFUGEES. HE NOTED THAT THE INHABITANTS OF SECTOR NORTH AND SOUTH LEFT IN AN EXODUS COORDINATED BY THEIR OWN CIVIL AND MILITARY AUTHORITIES.

111. THE MINISTER MAINTAINED THAT THE GOVERNMENT LOOKED INTO EVERY CASE OF BURNING, LOOTING OR KILLING AND HIS ASSISTANT FOR POLICE AFFAIRS MR. BENKO HAD DOSSIERS AVAILABLE FOR INSPECTION. HE ADMITTED THERE HAD BEEN INDIVIDUAL CASES OF HUMAN RIGHTS VIOLATIONS. HE NOTED THAT CROATIA HAS COOPERATED WITH THE INTERNATIONAL TRIBUNAL IN THE HAGUE AND RECEIVED LETTERS OF GRATITUDE FROM THEM. THE SPECIAL SERVICE ACTIVE WITH WAR CRIMES AND TERRORISM HAS BEEN WORKING IN CROATIA SINCE 1991.

112. SHATTUCK RAISED THE RECLAIMING OF PROPERTY ISSUE,
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STRESSING THAT THE EXISTING PROCEDURES WERE EXTREMELY DIFFICULT FOR THE CROATIAN SERB REFUGEES TO BE ABLE TO COMPLY. THE CITIZENS WHO WANT TO RECLAIM THEIR PROPERTY MUST HAVE DOCUMENTS AND PERMANENTLY RESIDE IN CROATIA. IT IS DIFFICULT TO OBTAIN THESE DOCUMENTS OUTSIDE OF CROATIA AND DIFFICULT FOR THE REFUGEES TO GET BACK INTO CROATIA. IN ADDITION, IN MANY CASES THE PROPERTY HAS BEEN DESTROYED. IN SUMMARY, IT APPEARS THAT DE FACTO THE PROPERTY HAS BEEN CONFISCATED. MAYBE THAT IS NOT THE INTENT, BUT THAT IS THE EFFECT.

113. THE DIRECTIVE ON PROPERTY, ACCORDING TO JARNJAK, IS INTENDED TO PROTECT PRIVATE PROPERTY FROM FURTHER DESTRUCTION BY MAKING CROATIA THE TEMPORARY OWNER. THE CROATIAN LAW ON PROPERTY RIGHTS PROVIDES FOR THE RETURN OF THE PROPERTY AS SOON AS ITS LEGAL OWNERS RETURN. THE PROPERTY OF THOSE WHO DECIDE NOT TO RETURN WILL BE UTILIZED FOR THOSE IN NEED, SUCH AS REFUGEES. THE PROPERTY IS NOT GIVEN PERMANENTLY, ONLY PROVIDED FOR USE. (COMMENT: THE TITO GOVERNMENT EXPROPRIATED THOUSANDS OF PROPERTIES WHEN IT CAME INTO POWER, AND MANY ORIGINAL OWNERS ARE NOW IN LITIGATION WITH THE GOVERNMENT TO OBTAIN THEIR RETURN. END COMMENT)

114. A/S SHATTUCK NOTED HE HAD PERSONALLY VISITED THE VOJNIC REFUGEES. HE POINTED OUT THAT THERE WILL BE A HUMANITARIAN CRISIS IN THE WINTER, BUT THERE IS AN IMMEDIATE CRISIS OF SANITATION. ONE SOLUTION WOULD BE TO MOVE THE REFUGEES TO HIGHER GROUND. IT WOULD BE HELPFUL IF THE GOC WORKED WITH UNHCR AND ICRC ON THIS MATTER. THERE IS ALSO A SECURITY PROBLEM IN THE CAMP. IT IS
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BECOMING INCREASINGLY DANGEROUS, WITH REPORTS OF VIOLENCE AND THAT THE MILITARY ARE TAKING YOUNG MEN.

115. THIS CAMP IS A LARGE AND SERIOUS PROBLEM, ACCORDING TO JARNJAK. THE INTERIOR MINISTERS OF TURKEY, B-H AND CROATIA WILL MEET NEXT WEEK. THERE WILL BE A THREE PART POLICE WITH THE PURPOSE OF PROTECTING THE PEOPLE IN SUCH A WAY THAT THEY CAN RETURN TO VELIKA Kladusa. JARNJAK SAID HE HOPED IN THIS WAY TO SOLVE THE PROBLEM POSITIVELY. HOWEVER, THERE WILL BE NO FORCIBLE RETURN THE GOC WILL SEEK A SOLUTION FOR THOSE WHO DO NOT WISH TO RETURN. JARNJAK ADDED THAT THE CROATIAN GOVERNMENT WOULD NOT MAKE ANY PERSON RETURN TO A POSITION WHERE HE COULD NOT LIVE SAFELY AND IN PEACE. "IF I HADN'T BEEN OF THIS OPINION. WE WOULD NOT HAVE LET THEM COME TO CROATIA."

(COMMENT. EMBASSY IS REPORTING SEPARATELY ON FORCIBLE
RETURN OF CROATIANS TO BOSNIA. END COMMENT.)

16. A/S SHATTUCK SAID HE APPRECIATED THE COOPERATION
BETWEEN CROATIA AND THE WAR CRIMES COMMISSION, AND
STRESSED THAT IT IS VERY IMPORTANT.

17. A/S SHATTUCK SUGGESTED THAT JARNJAK ASK THE PRESIDENT
TO MAKE A STATEMENT, BECAUSE THE SIGNAL THAT IS NOW BEING

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	SS-00	STR-01	TRSE-00	T-00	USIE-00	SNIS-00	NISC-01
	PMB-00	PRM-10	PRME-01	PRMC-01	DRL-09	G-00	/038W

-----F42C80 061730Z /38

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GIVEN IS THAT SERBS ARE NOT WELCOME. JARNJAK SAID BOTH
TUDJMAN AND THE PRIME MINISTER HAVE SPOKEN TWICE ON THIS
ISSUE, BUT THAT HE WOULD SUGGEST THAT THE PRESIDENT
ADDRESS IT AGAIN IN HIS NEXT PRESS CONFERENCE, THE
PROBLEM, HE REPEATED, IS THAT THE NEWS WOULD ONLY BE HEARD
DOMESTICALLY AND NOT REACH THE REFUGEES. ANOTHER PROBLEM,
HE ADDED, IS THAT THE THE SERBS CONSIDER IT AN ADVANTAGE
FOR THEM TO HAVE THE REFUGEES. THEY WOULD USE THEM TO
ALTER THE ETHNIC BALANCE IN KOSOVO AND DID NOT WISH THEIR
RETURN TO CROATIA.

18. NOT ALL THE REFUGEES ARE GOING TO KOSOVO, SHATTUCK
REPLIED. HE NOTED THAT HE SPOKEN TO THE SERBS ABOUT THE
DESTRUCTION OF VUKOVAR A YEAR AGO AND EARLIER CONDEMNED

THE MASS KILLINGS IN NORTHEAST BOSNIA. HE WISHED THE
MINISTER TO KNOW HIS INTEREST WAS HUMAN RIGHTS. HE HAD
COME IN THAT SPIRIT TO RAISE CONCERNS WITH THE GOVERNMENT,
ABOUT PEOPLE WHO WERE ALL CITIZENS OF CROATIA.

119. A/S SHATTUCK DID NOT HAVE THE OPPORTUNITY TO CLEAR ON
THIS MESSAGE BEFORE DEPARTING ZAGREB.

120. SARAJEVO MINIMIZE CONSIDERED.

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